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Hib. 7. 646. 4

ARTICLES OF PEACE MADE CONCLVDED ACCORDED AND AGREED UPON, BY AND BETWEEN *His Excellencie* IAMES *Lord Marques of* ORMOND, *Lord Lieutenant Generall and Generall Governour of His Majesties* Kingdome of IRELAND, His Majesties Commissioner, to Treat and Conclude a Peace with His Majesties Roman Catholique Subjects of the said Kingdome, by vertue of His Majesties Commission under the Great Seale of ENGLAND, bearing date at *Buckingham*, on the 24th day of *Iune*, in the Twentieth yeare of His Reigne, For and on the behalfe of His most Excellent Majesty of the one Part;

And

Donogh Lord Viscount *Muskery*, and others appointed and Authorized by His Majesties said Roman Catholique Subjects, by vertue of an Authoritie of the said Roman Catholique Subjects, bearing date the sixth day of *March*, 1645. And in the One and Twentieth Yeare of His Majesties Reigne, of the other Part.

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¶ *Published by Authoritie and Command of the Lord Lieutenant and Councell.*

¶ Imprinted at *Dublin*, by *William Bladen*, Printer to the Kings most Excellent Majesty, *Anno Dom.* 1646.

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BY THE LORD
Lieutenant and Councell.

ORMONDE.

WHEREAS Articles of Peace are made, concluded, accorded, and agreed upon, By and between Us IAMES Lord Marques of Ormonde Lord Lieutenant Generall and Generall Governour of His Majesties Kingdome of Ireland, His Majesties Commissioner, to Treat and Conclude a Peace with His Majesties Roman Catholike Subjects of the said Kingdome, By vertue of His Majesties Commission under the Great Seal of England, bearing date at Buckingham on the 24th day of Iune, in the twentieth yeare of His Reigne, For and on the Behalf of His most Excellent Majesty of the one part, and Donogh Lord viscount Muskery and others appointed and authorized by His Majesties said Roman Catholike Subjects, by vertue of an authority of the said Roman Catholike Subjects, bearing date the sixth day of March, 1645, and in the 21th year of His Majesties Reigne, of the other part, a true Copie of which Articles of Peace is hereunto annexed,

ed, Wee the Lord Lieutenant and Councell doe by this Proclamation in His Majesties Name Publish the same, And doe, in His Majesties Name, strictly charge and Command all His Majesties Subjects and all others Inhabiting or residing within His Majesties said Kingdome of Ireland, to take notice thereof, and to Render due Obedience to the same in all the parts thereof.

And as His Majestie hath been induced to this Peace, out of a deepe sence of the Miseries and Calamities brought upon this His Kingdome and people, and out of a hope conceived by his Majesty that it may prevent the further effusion of his Subjects blood, redeeme them out of all the miseries and calamities under which they now suffer, restore them to all quietnes and happines under his Majesties most gracious Government, deliver the Kingdome in generall from those slaughters, depredations, rapines, and spoiles, which alwaies accompany a Warre, encourage the subjects & others with comfort to betake themselves to trade traffick commerce manufacture, & all other things which uninterrupted may increase the wealth and strength of the Kingdom, beget in all his Majesties Subjects of this Kingdom, a perfect unity amongst themselves, after the too long continued division amongst them: so His Majestie assures Himself, that all his Subjects of this His Kingdom (duely considering the great and inestimable benifits which they may finde in this Peace) will with all dutie render due obedience thereunto. And wee, in His Majesties name, doe hereby declare that all persons so rendring due Obedience to the said Peace, shall be

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Protected Cherished Countenanced and Supported by His Majesty and His Royal Authority according to the true intent and meaning of the said Articles of Peace.

Given at His Majesties Castle of Dublin, the thirtieth Day of Iuly, 1646.

Ri. Bolton, Canc. *La. Dublin.* *Roscomon.* *Dillon.*

Geo. Cloyne. *Cha. Lambart.* *Arthur Chichester.*

Gerrard Lowther. *Hen. Tichborne.* *Fr. Willoughby.*

Tho. Lucas. *Robert Forth.* *Ia. Ware.*

God save the King.

ARTICLES *of Peace made, concluded, accorded, and agreed upon, by and betweene his Excellencie* IAMES *Lord Marques of Ormond, Lord Lieutenant Generall and Generall Governour of His Majeſties Kingdome of Ireland, His Majeſties Commiſſioner to Treat and conclude a Peace with His Majeſties Roman Catholique Subjects of the ſaid Kingdome, by vertue of His Majeſties Commiſſion under the Great Seale of England, bearing date at Buckingham, the 24th day of Iune, in the twentieth yeare of His Reigne, for and on the behalfe of His moſt Excellent Majeſty of the one partie; and Richard Lord viſcount Mountgarret, Donogh Lord viſcount Muskery, Sir Robert Talbot Barronet, Dermot ô Bryen, Patrick Darcy, Geffrey Browne, and Iohn Dillon, Eſquires, appointed and authorized by His Majeſties ſaid Roman Catholique Subjects, by vertue of an authority of the ſaid Roman Catholique Subjects bearing date the firſt day of March, Anno Domini, one thouſand ſix hundred forty five, and in the twenty one yeare of His Majeſties Reigne, authoriſing them, and others, or any foure or more of them, to Treat and Conclude a Peace in the ſaid Kingdome of Ireland, with His Majeſties ſaid Commiſſioner, for and in the behalfe of His Majeſties ſaid Roman Catholique Subjects on the other partie.*

IN*primis*. It is Concluded, Accorded, and Agreed upon, by His Majeſties ſaid Commiſſioner For and on the behalfe of His moſt Excellent Majeſty, and the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Robert Talbot* Barronet, *Dermot ô Bryen*, *Patricke Darcy*, *Geffry Browne*, and *Iohn Dillon*, Eſquires, on the behalfe of the ſaid Roman Catholique Subjects; And His Majeſty is graciouſly pleaſed, that it ſhall be provided by Act of Parliament to be paſſed in the next Parliament to be held in this Kingdome, That the Pro-

Professors of the Roman Catholique Religion in the said Kingdom or any of them be not bound or obliged to take the Oath expressed in the Statute of *Secundo Eliz:* commonly called *the Oath of Supremacie*, And that the said Oath shall not be tendered unto them, and that the refusall of the said Oath shall not redound to the prejudice of them, or any of them, they taking the Oath of Allegiance *In hac verba. I. A. B. Doe truely acknowledge confesse, testifie, and declare, in my conscience before God and the World, That our Soveraigne Lord King CHARLES is Lawfull and Rightfull King of this Realme, and of other His Majesties Dominions and Countries, and I will beare Faith, and true Allegiance, to His Majesty, and His Heires and Successors, and Him and Them will defend to the uttermost of my power against all conspiracies and attempts whatsoever, which shall be made against His, or Their Crowne, or Dignitie, and doe my best endeavour to disclose, and make knowne, unto His Majesty, His Heires and Successors, or to the Lord Deputy, or other Governour, for the time being, all Treasons or trayterous conspiracies, which I shall know or heare to be intended against His Majesty, or any of them, and I doe make this recognition and acknowledgement heartily, willingly, and truely, upon the true faith of a Christian, so helpe me God, &c.* So as by the same Act it be further Provided and Enacted, that if any Roman Catholique happen to be promoted, presented, or advanced, to any Ecclesiasticall promotion, dignitie, or benifice, according to the forme now used in the Protestant Church of *Ireland*, That the freedome and exemption aforesaid shall not extend to any such Roman Catholique; Or if any being Protestant, be advanced, promoted, or presented, to any Ecclesiasticall benefice, dignitie, or promotion, shall afterwards happen to become a Roman Catholique, That the freedome and exemption aforesaid shall not so farr extend to any such Roman Catholique, but that upon tender of the said Oath, and refusall thereof, he be, for that cause, left subject to privation of the said benefice, dignitie, or promotion, according to the said Statute; And it is further concluded accorded and agreed by and between the said parties, that for all matters concerning the first Proposition of the said Catholiques; *viz.* That all Acts made against the professors of the Roman Catholique Faith, whereby any restraint, penalty, mulct, or incapacitie, may be laid upon

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any Roman Catholique within the Kingdome of *Ireland*, may bee repealed; And the ſaid Catholicks to bee allowed the freedome of the Roman Catholique Religion. That His Majeſties ſaid Roman Catholique Subjects be referred to His Majeſties gracious Favour and further conceſſions, And that no clauſe in theſe Articles ſhall or may hinder His Majeſties ſaid Roman Catholique Subjects or any of them from the beneht of His Majeſties further Graces, and conceſſions, And that no uſe ſhal be made of the papers paſt on this Treaty, or any of them, concerning the ſaid firſt propoſition, which may, in any ſort, hinder the ſaid Roman Catholique Subjects, or any of them, from His Majeſties further conceſſions. And that His Majeſties ſaid Commiſſioner and other Chief Governour or Governours of this Kingdome, for the time being, ſhall cauſe whatſoever ſhall be further directed by His Majeſty, to be paſſed in Parliament, for and on the behalf of His ſaid Roman Catholique Subjects, to be accordingly drawne into Bills, and tranſmitted according to the uſuall manner, to be afterwards paſſed as Acts in the ſaid Parliament

2. *Item* It is further concluded accorded and agreed upon, by and between the ſaid parties, And His Majeſty is graciouſly pleaſed, to call a new Parliament to be held in this Kingdome, on or before the laſt day of *November* next enſuing, and that all matters agreed on by theſe Articles to be paſſed in Parliament ſhall be tranſmitted into *England*, according to the uſuall forme, to be paſſed in the ſaid Parliament, and that the ſaid Acts ſo to be agreed upon, and ſo to be paſſed, ſhall receive no alteration or diminution here, or in *England*, Provided that nothing ſhall be concluded by both, or either, of the ſaid Houſes of Parliament which may bring prejudice, to any of His Majeſties Proteſtant Partie or their adherents, or to any of His Majeſties Roman Catholique Subjects party, or their adherents, other then ſuch things as upon this Treaty ſhall be concluded to be done, or ſuch things as may be proper for the Committee of Priviledges of either, or both Houſes, to take cognizance of, as in ſuch caſes heretofore hath been accuſtomed, and ſuch other things as ſhall be propounded to either, or both Houſes, by the Lord Lieutenant, or other Chiefe Governour or Governours

for the time being, during the ſaid Parliament, for the Advancement of His Majeſties Service, and the Peace of the Kingdome, which Clauſe is to admit no conſtruction, which may trench upon theſe Articles or any of them.

3. *Item* It is further concluded accorded and agreed upon, by and between the ſaid parties, And His Majeſty is further graciouſly pleaſed, that all Acts, Ordinances and Orders made by both, or either, Houſes of Parliament to the blemiſh, diſhonor, or prejudice, of His Majeſties Roman Catholique Subjects of this Kingdome or any of them, ſithence the 7th of *Auguſt*, 1641. ſhall be vacated, and that the ſame, and all exemplifications, and other Acts, which may continue the memory of them, be made voide by Act of Parliament.

4. *Item* It is further concluded accorded and agreed upon, by and between the ſaid parties, And his Majeſty is further graciouſly pleaſed, that all Indictments, Attainders, Outlawries, in this Kingdome, and all the Proceſſes and other proceedings thereupon, and all Letters Patents, Grants, Leaſes, Cuſtodiams, Bonds, Recognizances, and all Records, Act or Acts, Office or Offices, Inquiſitions, and all other things depending upon, or taken by reaſon of the ſaid Indictments, Attainders, or Outlawries, ſithence the 7th of *Auguſt*, 1641. In prejudice of the ſaid Catholiques, their heires executors adminiſtrators and aſſignes or any of them, or the Widdowes of them or any of them ſhall be vacated and made voide in ſuch ſort, as no memory ſhall remaine thereof to the blemiſh, diſhonour, or prejudice of the ſaid Catholiques, their heires, executors, adminiſtrators, or aſſignes, or any of them, or the Widdowes of them or any of them, and that to be done imediately after concluding of theſe Articles, and at furtheſt before the firſt day of *October* next; Or in caſe the ſaid new Parliament be called ſooner then the ſaid laſt day of *November*, then fortie daies before the ſaid Parliament. And that all impediments which may hinder the ſaid Roman Catholiques to Sit or Vote in the next intended Parliament, or to chooſe or to be choſen Knights and Burgeſſes to Sit or Vote there, ſhall be removed before the ſaid Parliament, Provided that no man ſhall be queſtioned by reaſon of this Article for meſne

meſne rates or waſtes, ſaving wilfull waſtes committed after the firſt of *November*, 1645.

5. *Item* It is further concluded, accorded and agreed upon, by and between the ſaid parties, And His Majeſty is further graciouſly pleaſed, that al debts do ſtand in ſtate as they were in the beginning of thoſe troubles, and that no grant or diſpoſition made, or to be made, thereof, by vertue or colour of any Attainder, Outlawrie, Fugacie or other Forfeiture whatſoever, or otherwiſe, ſhall be of force, And this to be paſſed as an Act in the ſaid next Parliament.

6. *Item* It is concluded, accorded, and agreed, by and between the ſaid parties, and His Majeſty is graciouſly pleaſed, that for the Securing of the Eſtates or reputed Eſtates, of the Lords, Knights, Gentlemen, and Freeholders or reputed Freeholders, aswell of *Connaught* and County of *Clare*, or Country of *Thomond*, as of the County of *Limericke*, and *Tipperary*, the ſame to be Secured by Act of Parliament according to the intent of the 25 Article of the Graces, granted in the fourth yeare of His Majeſties Reigne, the Tenor whereof, for ſo much as concerneth the ſaid Propoſition, doth enſue in theſe words, viz. *Wee are Graciouſly pleaſed, that for the ſecuring of the Inhabitants of Connaught, and Country of Thomond, and County of Clare, that their ſeverall Eſtates ſhall be confirmed unto them and their heires, againſt Vs and Our Heires, and Succeſſors, by Act to be paſſed in the next Parliament to be houlden in Ireland, to the end the ſame may never hereafter be brought into any further queſtion by Vs Our Heires and Succeſſors; In which Act of Parliament ſo to be paſſed, you are to take care, that all Tenures in Capite, and all Rents and Services, as are now due, or which ought to be anſwered unto Vs, out of the ſaid Lands and Premiſſes by any Letters Pattents paſt thereof, ſince the firſt yeare of King Henry the eight, or found by any Office taken from the ſaid firſt yeare of King Henry the eight, untill the 21th of July 1615. Whereby Our late deare Father or any His Predeceſſors actually received any profit, by Wardſhipp, Liveries, primer ſeiſins, meſne-rates, ouſterlemaines, or fines of alienations without licence, be againe reſerved unto Vs, Our Heires, and Succeſſors; And all the reſt of the premiſſes to be houlden*

of our Caſtle of Athloane, by Knights Service, According to Our ſaid late Fathers Letters, notwithſtanding any Tenures in Capite found for Vs by Office ſince the 21th *of July*, 1615. *And not appearing in any ſuch Letters Patents, or Offices*, within which rule it is His Majeſties pleaſure, and it is ſo concluded and agreed, that the ſaid Lands in the Counties of *Limericke*, and *Tipperarie*, be included, but to be held by ſuch Rents and Tenures onely as they were in the fourth yeare of His Majeſties Reigne, Provided alwaies, and it is the intention of the ſaid parties to theſe preſents, that the ſaid Lords, Knights, Gentlemen and Freehoulders, or reputed Freehoulders, of the ſaid Province of *Connaught*, County of *Clare*, and Country of *Thomond*, and Counties of *Tipperary* and *Limericke*, ſhall have and enjoy the full benefit of ſuch compoſition and agreement, which ſhall be made with His moſt Excellent Majeſty for the Court of Wards, Tenures, reſpitts, and iſſues, of homage, any clauſe in this Article contained to the contrary notwithſtanding; And as for the Lands within the Counties of *Kilkenny* and *Wicklo*, unto which His Majeſty was entituled by Offices taken or found in the time of the Earl of *Straffords* Government in this Kingdome; His Majeſty is graciouſly pleaſed, that the ſtate thereof ſhall be conſidered in the next intended Parliament, wherein His Majeſty will aſſent unto that which ſhall be juſt, and Honourable, and it is further concluded and agreed, by and between the ſaid parties, and His Majeſty is further graciouſly pleaſed, that the like Act of limitation of His Majeſties Titles for the ſecurity of the Eſtates of His Subjects of this Kingdome, be paſſed in the ſaid Parliament, as was Enacted in the 21th yeare of His late Majeſty King *James* His Reigne in *England*.

7 *Item* It is further concluded, accorded, and agreed upon, by and between the ſaid parties, and his Majeſty is further graciouſly pleaſed, that all Incapacities impoſed upon the Natives of this Kingdome, or any of them as Natives, by any Act of Parliament, Proviſoes in Pattents, or otherwiſe, be taken away by Act to be paſſed in the ſaid Parliament; And that they may be enabled to erect one, or more Innes of Court, in or neere the City of Dublin, and that ſuch Students Natives of this Kingdome, as ſhall be therin

therein, may take and receive the usuall Degrees accustomed in any Innes of Court, they taking the ensuing Oath, *viz. I. A. B. Doe truely acknowledge, professe, and declare in my Conscience, before God and the World, That our Soveraigne Lord King Charles is Lawfull and Rightfull King of this Realme, and of other his Majesties dominions, and Countries, and I will beare Faith and true Allegiance to his Majesty, and his heires, and Successors; and Him, and them, will defend to the vttermost of my power against all Conspiracies, and Attempts whatsoever, which shall be made against His or their Crown, and Dignitie, and doe my best endeavor to disclose, and make knowne, to his Majesty His heires, and Successors, or to the Lord Deputy or Governours for the time being, all Treasons, or Traiterous Conspiracies, which I shall know, or heare, to bee intended against his Majesty or any of them, and I doe make this recognition and acknowledgment Heartily, and Willingly, and Truely, upon the true Faith of a Christian, Soe helpe mee God.* And that they may erect one or more Universities, to be Governed by such Rules, and Orders as his Majestie shall appoint; And it is further concluded and agreed, by and between the said Parties, and his Majesty is graciously pleased, that the said Roman Catholique Subjects may erect, and keepe, free Schooles for education of Youth in this Kingdome, any Law or Statute to the contrary notwithstanding; All the matters of this Article to be passed, as Acts of Parliament in the said next Parliament.

8 *Item.* It is further concluded accorded, and agreed upon, by and between the said parties, and his Majesty is graciously pleased; That places of Command, Honour, Profit and Trust in his Majesties Armies in this Kingdome, shall bee upon perfection of these Articles actually, and by particular instances, conferred upon his Roman Catholique Subjects of this Kingdome, And that upon the distribution conferring, and disposall of the places of Command, Honour, Profit and Trust, in his Majesties Armies in this Kingdome, for the future noe difference shall be made, betweene the said Roman Catholiques, and other his Majesties Subjects, but that such distribution shall bee made with equall indifferencie according their respective Meritts and Abilities; And

of our Caſtle of Athloane, by Knights Service, According to Our ſaid late Fathers Letters, notwithſtanding any Tenures in Capite found for Vs by Office ſince the 21th *of July*, 1615. *And not appearing in any ſuch Letters Patents, or Offices*, within which rule it is His Majeſties pleaſure, and it is ſo concluded and agreed, that the ſaid Lands in the Counties of *Limericke*, and *Tipperarie*, be included, but to be held by ſuch Rents and Tenures onely as they were in the fourth yeare of His Majeſties Reigne, Provided alwaies, and it is the intention of the ſaid parties to theſe preſents, that the ſaid Lords, Knights, Gentlemen and Freehoulders, or reputed Freehoulders, of the ſaid Province of *Connaught*, County of *Clare*, and Country of *Thomond*, and Counties of *Tipperary* and *Limericke*, ſhall have and enjoy the full benefit of ſuch compoſition and agreement, which ſhall be made with His moſt Excellent Majeſty for the Court of Wards, Tenures, reſpitts, and iſſues, of homage, any clauſe in this Article contained to the contrary notwithſtanding; And as for the Lands within the Counties of *Kilkenny* and *Wickloe*, unto which His Majeſty was entituled by Offices taken or found in the time of the Earl of *Straffords* Government in this Kingdome; His Majeſty is graciouſly pleaſed, that the ſtate thereof ſhall be conſidered in the next intended Parliament, wherein His Majeſty will aſſent unto that which ſhall be juſt, and Honourable, and it is further concluded and agreed, by and between the ſaid parties, and His Majeſty is further graciouſly pleaſed, that the like Act of limitation of His Majeſties Titles for the ſecurity of the Eſtates of His Subjects of this Kingdome, be paſſed in the ſaid Parliament, as was Enacted in the 21th yeare of His late Majeſty King *James* His Reigne in *England*.

7 *Item* It is further concluded, accorded, and agreed upon, by and between the ſaid parties, and his Majeſty is further gratiouſly pleaſed, that all Incapacities impoſed upon the Natives of this Kingdome, or any of them as Natives, by any Act of Parliament, Proviſoes in Pattents, or otherwiſe, be taken away by Act to be paſſed in the ſaid Parliament; And that they may be enabled to erect one, or more Innes of Court, in or neere the City of Dublin, and that ſuch Students Natives of this Kingdome, as ſhall be therin

therein, may take and receive the usuall Degrees accustomed in any Innes of Court, they taking the ensuing Oath, *viz. I. A. B. Doe truely acknowledge, professe, and declare in my Conscience, before God and the World, That our Soveraigne Lord King Charles is Lawfull and Rightfull King of this Realme, and of other his Majesties dominions, and Countries, and I will beare Faith and true Allegiance to his Majesty, and his heires, and Successors; and Him, and them, will defend to the uttermost of my power against all Conspiracies, and Attempts whatsoever, which shall be made against His or their Crown, and Dignitie, and doe my best endeavor to disclose, and make knowne, to his Majesty His heires, and Successors, or to the Lord Deputy or Governours for the time being, all Treasons, or Trayterous Conspiracies, which I shall know, or heare, to bee intended against his Majesty or any of them, and I doe make this recognition and acknowledgment Heartily, and Willingly, and Truely, upon the true Faith of a Christian, Soe helpe mee God.* And that they may erect one, or more Vniversities, to be Governed by such Rules, and Orders as his Majestie shall appoint; And it is further concluded and agreed, by and between the said Parties, and his Majesty is graciously pleased, that the said Roman Catholique Subjects may erect, and keepe, free Schooles for education of Youth in this Kingdome, any Law or Statute to the contrary notwithstanding; All the matters of this Article to be passed, as Acts of Parliament in the said next Parliament.

8 *Item.* It is further concluded accorded, and agreed upon, by and between the said parties, and his Majesty is gratiously pleased; That places of Command, Honour, Profit and Trust in his Majesties Armies in this Kingdome, shall bee upon perfection of these Articles actually, and by particular instances, conferred upon his Roman Catholique Subjects of this Kingdome, And that upon the distribution conferring, and disposall of the places of Command, Honour, Profit and Trust, in his Majesties Armies in this Kingdome, for the future noe difference shall be made, betweene the said Roman Catholiques, and other his Majesties Subjects, but that such distribution shall bee made with equall indifferencie according their respective Meritts and Abilities; And

that all his Majeſties Subjects of this Kingdome, as well Roman Catholiques as others, ſhall for his Majeſties Service and their one ſecurity, arme themſelves the beſt they may, wherein they ſhall have all fitting encouragement, And that places of Command, Honour, Profit and Truſt in Civill Government in this Kingdome, ſhall be, upon paſſing of the Bills, in theſe Articles mentioned, in the next Parliament, actually and by particular inſtances conferred upon his Majeſties Roman Catholique Subjects of this Kingdom, And that in the Diſtribution, conferring, and diſpoſall of the places of Command, Honour, Profit, and Truſt, in the Civill Government, for the future, noe difference ſhall bee made between the ſaid Roman Catholiques and others his Majeſties Subjects, but that ſuch diſtribution ſhall bee made with equall indifferencie, accaccording to their reſpective Meritts and abilities, And that in the diſtribution of Miniſteriall Offices, or Places which now are, or hereafter ſhall bee, voyd in this Kingdome, equality ſhall be uſed to the Roman Catholique natives of this Kingdom as to other his Majeſties Subjects; That the Command of Forts, Caſtles, Garriſons, Townes, and other Places of Importance in this Kingdome, ſhall be conferred, upon his Majeſties Roman Catholique Subjects of this Kingdome upon per ection of theſe Articles, actually and by particular inſtances, and that in the diſtribution conferring and diſpoſall of the Forts, Caſtles, Garriſons, Townes, and other places of Importance in this Kingdome, noe difference ſhall be made between his Majeſties Roman Catholique Subiects of this Kingdome, and other his Majeſties Subjects, but that ſuch diſtribution ſhall be made with equall indifferencie, according their reſpective Meritts and Abilities.

9. *Item.* It is further concluded, accorded, and agreed upon, by and betweene the ſaid parties and his Majeſty is further Gratiouſly pleaſed, That his Majeſty will accept of the yearly Rent or annuall Summe of Twelve Thouſand pounds ſter. to be applotted with indifferency and equality, and conſented to be paid to his Majeſty his Heires and Succeſſors in Parliament for and in lieu of the Court of Wards in this Kingdome, Tenures in Capite, common Knights ſervice and all other Tenures within the cognizance of that

that Court, And for and in lieu of all Wardſhips, primer Seiſins, Fines, Ouſterlemaines, Liveries, Intruſions, Alienations, Meſnerates, Reliefes and all other Profits, within the cognizance of the ſaid Court, or incident to the ſaid Tenures or any of them, or Fines to accrue to his Majeſtie, by reaſon of the ſaid tenures or any of them, and for, and in lieu of Reſpits, and Iſſues, of Homage, and Fines for the ſame, And the ſaid yearely rent being ſoe Applotted and Conſented unto in Parliament as aforeſaid, then a Bill is to be agreed on in the ſaid Parliament, to be paſſed as an Act, for the ſecuring of the ſaid yearly Rent or annuall ſumme of Twelve Thouſand pounds, to be applotted as aforeſaid, and for the Extinction and taking away of the ſaid Court, and other matters aforeſaid in this Article contained; And it is further agreed, that reaſonable Compoſitions ſhall be accepted for Wardſhips fallen ſince the 23. of *October* 1641. and already granted; And that noe Wardſhips fallen; and not granted, or that ſhall fall, ſhall bee paſt, untill the ſucceſſe of this Article ſhal appeare; And if his Majeſtie be Secured as aforeſaid, Then all Wardſhips fallen ſince the ſaid 23 *of October* are to be included in the agreement aforeſaid, upon Compoſition to be made with ſuch as have grants as aforeſaid which compoſition to be made with the grantees ſince the time aforeſaid, is to be left to indifferent perſons, and the umpirage to the ſaid Lord Lievtenant his Majeſties Commiſſioner.

10. *Item* It is further concluded accorded and agreed, by and betweene the ſaid parties, and his Majeſtie is further gratiouſly pleaſed, that noe Nobleman or Peere of this Realme in Parliament ſhall bee hereafter capable of more Proxies then two, and that blancke Proxies ſhall be hereafter totallie diſallowed and that if ſuch Noblemen or Peeres of this Realme as have no Eſtates in this Kingdome doe not within five yeares, to begin from the concluſion of theſe Articles, Purchaſe in this Kingdome as followeth, *viz.* *A Lord Barron two hundred pound per annum, a Lord Viſcount foure hundred pounds per annum, and an Earle ſix hundred pounds ſter. per annum.* ſhall looſe their votes in Parliament untill ſuch time as they ſhall afterwards acquire ſuch eſtates reſpectively; And it is further agreed, that none be admitted into the Houſe of Commons but ſuch as ſhall be Eſtated, and Reſident within this Kingdome.

11. *Item*

that all his Majesties Subjects of this Kingdome, as well Roman Catholiques as others, shall for his Majesties Service and their one security, arme themselves the best they may, wherein they shall have all fitting encouragement, And that places of Command, Honour, Profit and Trust in Civill Government in this Kingdome, shall be, upon passing of the Bills, in these Articles mentioned, in the next Parliament, actually and by particular instances conferred upon his Majesties Roman Catholique Subjects of this Kingdom, And that in the Distribution, conferring, and dispossall of the places of Command, Honour, Profit, and Trust, in the Civill Government, for the future, noe difference shall bee made between the said Roman Catholiques and others his Majesties Subjects, but that such distribution shall bee made with equall indifferencie, accaccording to their respective Meritts and abilities, And that in the distribution of Ministeriall Offices, or Places which now are, or hereafter shall bee, voyd in this Kingdome, equality shall be used to the Roman Catholique natives of this Kingdom as to other his Majesties Subjects; That the Command of Forts, Castles, Garrisons, Townes, and other Places of Importance in this Kingdome, shall be conferred, upon his Majesties Roman Catholique Subjects of this Kingdome upon per ection of these Articles, actually and by particular instances, and that in the distribution conferring and dispossall of the Forts, Castles, Garrisons, Townes, and other places of Importance in this Kingdome, noe difference shall be made between his Majesties Roman Catholique Subiects of this Kingdome, and other his Majesties Subjects, but that such distribution shall be made with equall indifferencie, according their respective Meritts and Abilities.

9. *Item.* It is further concluded, accorded, and agreed upon, by and betweene the said parties and his Majesty is further Graciously pleased, That his Majesty will accept of the yearly Rent or annuall Summe of Twelve Thousand pounds ster. to be applotted with indifferency and equality, and consented to be paid to his Majesty his Heires and Successors in Parliament for and in lieu of the Court of Wards in this Kingdome, Tenures in Capite, common Knights service and all other Tenures within the cognizance of

that

that Court, And for and in lieu of all Wardſhips, primer Seiſins, Fines, Ouſterlemaines, Liveries, Intruſions, Alienations, Meſnerates, Reliefes and all other Profits, within the cognizance of the ſaid Court, or incident to the ſaid Tenures or any of them, or Fines to accrue to his Majeſtie, by reaſon of the ſaid tenures or any of them, and for, and in lieu of Reſpits, and Iſſues, of Homage, and Fines for the ſame, And the ſaid yearely rent being ſoe Applotted and Conſented unto in Parliament as aforeſaid, then a Bill is to be agreed on in the ſaid Parliament, to be paſſed as an Act, for the ſecuring of the ſaid yearly Rent or annuall ſumme of Twelve Thouſand pounds, to be applotted as aforeſaid, and for the Extinction and taking away of the ſaid Court, and other matters aforeſaid in this Article contained; And it is further agreed, that reaſonable Compoſitions ſhall be accepted for Wardſhips fallen ſince the 23. of *October* 1641. and already granted; And that noe Wardſhips fallen; and not granted, or that ſhall fall, ſhall bee paſt, untill the ſucceſſe of this Article ſhal appeare; And if his Majeſtie be Secured as aforeſaid, Then all Wardſhips fallen ſince the ſaid 23 *of October* are to be included in the agreement aforeſaid, upon Compoſition to be made with ſuch as have grants as aforeſaid which compoſition to be made with the grantees ſince the time aforeſaid, is to be left to indifferent perſons, and the umpirage to the ſaid Lord Lievtenant his Majeſties Commiſſioner.

10. *Item* It is further concluded accorded and agreed, by and betweene the ſaid parties, and his Majeſtie is further gratiouſly pleaſed, that noe Nobleman or Peere of this Realme in Parliament ſhall bee hereafter capable of more Proxies then two, and that blancke Proxies ſhall be hereafter totallie diſallowed and that if ſuch Noblemen or Peeres of this Realme as have no Eſtates in this Kingdome doe not within five yeares, to begin from the concluſion of theſe Articles, Purchaſe in this Kingdome as followeth, *viz. A Lord Barron two hundred pound per annum, a Lord Viſcount foure hundred pounds per annum, and an Earle ſix hundred pounds ſter. per annum*, ſhall looſe their votes in Parliament untill ſuch time as they ſhall afterwards acquire ſuch eſtates reſpectively; And it is further agreed, that none be admitted into the Houſe of Commons but ſuch as ſhall be Eſtated, and Reſident within this Kingdome.

11. *Item*

11. *Item* It is further concluded accorded and agreed by and betweene the ſaid parties, and His Majeſtie is further gratiouſly pleaſed, that as for and concerning the independency of the Parliament of *Ireland* of the Parliament of *England*, his Majeſty will leave both Houſes of Parliament in this Kingdome to make ſuch Declaration therein as ſhall be agreeable to the Lawes of the Kingdome of *Ireland*.

12 *Item* It is further concluded accorded and agreed by and between the ſaid parties, and his Majeſty is further gratiouſly pleaſed That the Councell table ſhall containe it ſelfe within it's proper bounds in handling matters of State and weight fit for that place, amongſt which, the Pattents of Plantation, and the Offices whereupon thoſe Grants are founded, are to be handled as matters of State, and be Heard and Determined by the Lord Lievtenant or other chiefe Governor or Governors for the time being and the Councell, Publiquely at the Councell board, and not otherwiſe, but Titles betweene party and party, grown after theſe Pattents granted, are to be left to the Ordinarie courſe of Law, and that the Councell table doe not hereafter intermeddle with Common buſineſſe that is within the cognizance of the Ordinarie Courts, nor with the altering of Poſſeſions of Lands, nor make, nor uſe, private Orders Hearings, or References concerning any ſuch matter, nor Grant any Injunction, or Order for Stay of any Suites in any civill Cauſe, and that parties grieved, for or by reaſon of any proceedings formerly had there, may commence their Suites and proſecute the ſame, in any of his Majeſties Courts of Iuſtice or Equitie, for remedie of their pretended rights, without any reſtraint or interruption from his Majeſtie or otherwiſe by the Chiefe Governor or Governors and Councell of this Kingdome.

13. *Item* It is further concluded granted and agreed, by and betweene the ſaid parties, and his Majeſtie is further gratiouſly pleaſed, that as for and concerning one Statute made in this Kingdome in the eleventh yeare in the Raigne of Queene *Elizabeth* intituled *an Act for ſtaying of Wooll, Flocks, Tallow*, and other neceſſaries within this Realme, and one other Statute made in the ſaid Kingdome in the 12 yeare of the ſaid Queene intituled *an Act*

And

And one other Statute, made in the ſaid Kingdome in the 13 yeare of the raigne of the ſaid late Queene intituled, *An explanation of the Act made in a Seſſion of this Parliament for the ſtaying of Wooll, Flockes, Tallow and other Wares and Commodities* mentioned in the ſaid Act, and certaine Articles added to the ſame Act, All concerning Staple or Native commodities of this Kingdome, ſhall be repealed, excepting for Wooll and Wooll fels, and that ſuch indifferent perſons, as ſhall be agreed on by the ſaid Lord Lievtenant, and the ſaid Lord viſc. *Mountgarret, Tonnogh Lord viſcount Muskery, Sir Daniell ô Bryen Knight, Sir Lucas Dillon Knight, Nicholas Plunket, Richard Bellings, Phillip mac Hugh Rely, Tirlogh ô Neale, Thomas Fleming, Patricke Darcy, Gerrald Fennell & Geffry Browne Eſquires* or any five, or more of them ſhall be Authorized by Commiſſion under the Great Seale, to Moderate and Aſcertaine the Rates of Marchandize to be Exported, or Imported, out of, or into, this Kingdome as they ſhall thinke fit,

14 *Item* It is further concluded, accorded and agreed, by and betweene the ſaid parties, and His Majeſtie is further gratiouſly pleaſed, that care be had, that the chiefe Governor, or Governors, of this Kingdome for the time being, ſhall not continue in thoſe Places longer then He ſhall finde for the good of his people here, and that they ſhall be inhibited to make any Purchaſe, other then by Leaſe for Proviſion of their Houſes, dureing the time of their Government.

15 *Item* It is further concluded accorded & agreed, by & between the ſaid parties, and his Majeſtie is further gratiouſly pleaſed, that an Act of oblivion ſhall be paſſed in the next Parliament to extend unto all his Majeſties Subjects, of this Kingdome and their adherents, of all Treaſons & Offences, Capitall, Criminall, and Perſonall, and other Offences of what Nature, kind, or qualitie ſoever, in ſuch manner, as if ſuch Treaſons or Offences had never beene committed perpetrated or done, That the ſaid Act doe extend to the Heires, Children, Kindred, Executors, Adminiſtrators, Wifes, Widdowes, Dowagers, and Aſſignes, of ſuch of the ſaid Subjects,

and their adherents, who died on, or since the 23 *of October* 1641. That the said Act doe relate to the First Day of the next Parliament; That the said Act doe extend to all Bodies Politique, and Corporate, and their respective Successors and unto all Citties, Bourroughes, Counties, Barronies, Hundreds, Townes, Villages, Tythings, and every of them within this Kingdome, for and concerning all and every of the said offences, or any other offences or offences, in them or any of them committed or done, by his Majesties said Subjects or their adherents, or any of them, in, or since the 23. *of October* 1641. That this Act shall extend to Piracies and all other Offences, committed upon the Sea by his Majesties said Subjects, or their adherents, or any of them, That in this Act of Oblivion, words of Release, Aquittall, and Discharge, be incerted; That noe person or Persons, Bodies Politique or Corporate, Counties, Cities, Burrowes, Barronies, Hundreds, Townes, Villages, Tythings, or any of them within this Kingdome, included within the said Act, be Troubled, Impeached, Sued, Inquieted, or Molested, for, or by reason of any offence, matter, or thing, whatsoever, comprized within the said Act, and the said Act shall extend to all Rents, Goods, and Chattells taken, Detained, or growen due, to the Subjects of the one side to the other, since the 23. *of October* 1641. to the Date of these Articles; And also to all Customes, Rents, Arreares of Rents, Prizes, Recognizances, Bonds, Fines, Forfeitures, Penalties, and to all other Profits. Perquisites, and Dues, which were due, or did, or should, accrue to his Majestie on, before or since, the 23 *of October* 1641. untill the perfection of these Articles, and likewise to all mesne rates, Fines, of what nature soever, Recognizances, Judgments, Executions thereupon, and penalties whatsoever, and to all other profites due to his Majestie since the said 23. *of October* and before untill this persent, for, by reason, or which lay within the survey or cognizance, of the Court of Wards; And also to all Respitts, Issues of Homage and Fines for the same, Provided this shall not extend to Discharge or Remit any of the Kings Debts, or Subsidies, Due before the said 23. *of October* 1641. which were then, or before, levyed, or taken by Sheriffs, Commissioners, Receivers, or Collectors, and not then, or before accounted for, or since disposed to publique use of the said Roman Catholique Subjects,

jects, but that such persons may be brought to account for the same, after full settlement in Parliament & not before; Provided that such Barbarous, and Inhumaine Crimes, as shall be particularized, and agreed upon, by the said Lord Lieutenant; and the Lord viscount *Mountgarret*, *Donnogh* Lord viscount *Muskery*, Sir *Daniell ô Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh Rely*, *Terlogh ô Neale*, *Thomas Fleming*, *Patricke Darcy*, *Gerrald Fennell* and *Geffry Browne* Esquires, or any five or more of them, as to the Actors, and Procurers, thereof, be left to be Tried and Adjudged by such indifferent Commissioners as shall be agreed upon by the said Lord Lievtenant; and the said Lord viscount *Mountgarret*, *Donogh* Lord visc. *Muskery*, Sir *Daniell ô Bryen* Knight, Sir *Lucas Dillon* Knight. *Nicholas Plunket*, *Richard Bellings*, *Phillip mac hugh ô Rely*, *Terlogh ô Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffry Browne* Esquires, or any five or more of them, and that the power of the said Commissioners shall continue onely for two years next ensuing the date of these present Articles; Provided alsoe that the Commissioners to be agreed on for tryall of the said particular Crimes to be Excepted, shall Heare, Order & Determine all cases of Trust, where Releife may or ought in Equitie to be afforded against all manner of persons, according to the Equitie and Circumstances of every such cases; And his Majesties Cheife Governor, or Governors, and other Governors and Majestrates for the time being, and all his Majesties Courts of Iustice, and other his Majesties Officers, of what condition or quality soever, be bound and required to take notice of, and pursue the said Act of Oblivion, without Pleading or Suite to be made for the same; And that noe Clerke or other Officers doe make out, or write out, any manner of Writts, Processes, Summons, or other Precept, for, concerning, or by reason of any matter, cause, or thing, whatsoever, Released, Forgiven, Discharged, or to be forgiven by the said Act, under paine of twenty pound sterling; And that noe Sheriffe or other Officer doe execute any such Writt, Processe, Summons, or Precept; And that noe Record, Writeing, or Memorie, doe remain of any Offence, or Offences, Released, or Forgiven, or mentioned to be Forgiven by this Act. And that all other causes vsually inserted in Acts of Generall Pardon or Oblivion, enlarging

larging His Majesties Grace, and Mercie, not herein particularized, be incerted and comprized, in the said Act, when the Bill shall be drawn up, with the Exceptions alreadie expressed, and none other; Provided alwaies that the said Act of Oblivion, shall not extend unto any Treason, Fellony or other Offence or Offences, which shall be Committed or done from or after the date of these Articles, untill the first day of the before mentioned next Parliament to be held in this Kindgome; Provided also, that any Act or Acts which shall be done by vertue, pretence, or in pursuance, of these Articles or any of them after the Publication of the said Articles, or any Act or Acts which shall be done by vertue, colour, or pretence, of the power, or authoritie used, or exercised, by, & amongst, the confederat Roman Catholiques after the date of these Articles, and before the said Publication, shall not be accounted, taken, construed, or be, Treason, Fellony, or other offence, to be excepted out of the said Act of oblivion, Provided likewise that the said Act of oblivion shall not extend unto any person, or persons, that will not Obay and Submit unto the Peace, Concluded, and Agreed on, by these Articles.

16 *Item* It is further concluded accorded & agreed, by & between the said parties, and his Majesty is further gratiously pleased, that an Act be passed in the next Parliamēt prohibiting that neither the Lord Deputy, or other chiefe Governor, Governors, Lord Chancellor, Lo. high Treasurer, vicetreasurer, Chancellor, or any of the Barrons of the Exchequer, Privie Councell, or Iudges of the foure Courts, be Farmours of His Majesties Customes within this Kingdome.

17. *Item* It is further concluded accorded and agreed, by and betweene the said parties, And His Majestie is further gratiously pleased, that an Act of Parliament passe in this Kingdome against Monopoles, such as was enacted in *England* 21. *Iacobi Regis*, with a further clause of Repealing of all grants of Monopoles in this Kingdome, and that Commissioners be agreed upon by the said Lord Lievtenant, and the said Lord Viscount *Mountgarret*, *Donogh* Lord viscount *Muskery* Sir *Dannell ô Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip mac Hugh Rely*, *Terlogh ô Neile*, *Thomas Fleming*, *Patricke Darcy*, *Gerrald Fennell*, and *Geffry Browne* Esquires, or any five or more of

of them, to ſet downe the Rates for the Cuſtome, or Impoſition to be laid on Aquavite, Wine, Oyle, Yarne, and Tobaccoe.

18. *Item* It is further concluded, accorded and agreed, by and betweene the ſaid parties, and His Majeſtie is further gratiouſly pleaſed, that ſuch perſons as ſhall be agreed on by the ſaid Lord Lievtenant, and the ſaid Lord viſcount *Mountgarrat*, *Donogh* Lord viſcount *Muskery*, Sir *Dan ell ô Bryen* Knight, Sir *Lucas Dillon*, Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip mac Hugh Rely*, *Terlogh ô Neale*, *Thomas Fleming*, *Patricke Darcy*, *Gerrard Fennell*, *and Geffry Browne* Eſquires, or any five or more of them ſhall be upon concluſion of theſe Articles, Authorized by Commiſſion under the great Seale, to Regulate the Court of Caſtle Chamber, and ſuch cauſes as ſhall be brought into, and cencured in, the ſaid Court.

19 *Item* It is further concluded, accorded and agreed, by and betweene, the ſaid parties, And His Majeſtie is further gratiouſly pleaſed, that two Acts lately paſſed in this Kingdome, prohibiting *the Plowing with Horſes by the tayle, and the other prohibiting the burning of Oates in the Straw*, be repealed.

20. *Item* It is further concluded accorded, and agreed, by and betweene the ſaid parties, and His Majeſty is further gratiouſly pleaſed, that upon perfection of theſe Articles ſuch courſe ſhall be taken againſt ſuch who have Diſobayed the Ceſſation, and will not ſubmit to the Peace, if any ſhall Oppoſe it, as ſhall be Iuſt, and for the Peace of the Kingdome.

21 *Item* It is further concluded, accorded, and agreed, by and betweene the ſaid parties, And His Majeſtie is further gratiouſly pleaſed, foraſmuch as upon application of Agents from this Kingdome unto His Majeſtie in the fourth yeare of his Raigne, and lately upon humble Suite made unto His Majeſtie by a Committee of both Houſes of the Parliament of this Kingdome, Order was given by His Majeſtie for Redreſſe of ſeverall grievances, and for ſoe many of thoſe as are not expreſſed in theſe Articles, whereof both Houſes in the next enſuing Parliament ſhall deſire the benefit of His Majeſties ſaid former directions for Redreſſes therein, that the ſame be afforded them, yet ſoe, as for prevention of inconveniences to

His Majeſties ſervice, that the warning mentioned in the 21. Article ſtf the graces, in the fourth yeare of his Majeſties Raign, be ſo underoood that the Warning being left at the perſons dwelling houſes, be held ſufficient Warning, and that, as to the 22 Article of the ſaid Graces, the Proceſſe hitherto uſed in the Court of wards doe ſtill continue as hitherto it hath done in that, and hath been uſed in other Engliſh Courts, but the Court of Wards being compounded for, ſo much of the aforeſaid Anſwer as concernes Warning, and Proceſſe, ſhall be omitted.

22. *Item* It is further Concluded, Accorded, and Agreed, by and betweene the ſaid parties, and His Majeſtie is further graciouſly pleaſed, that Maritime cauſes may be determined in this Kingdom, without driving of marchants or others to Appeale, and ſeek Iuſtice elſewhere; and if it ſhall fall out that there be cauſe of an Appeale, the party grieved is to Appeale to His Majeſtie in the Chancery of *Ireland*, and the Sentence thereupon to be given by the Delegates, to be Definitive, and not to be queſtioned upon any further Appeale, except it be in the Parliament of this Kingdome, if the Parliament ſhall then be ſitting, otherwiſe not, This to be by Act of Parliament.

23. *Item* It is further concluded, accorded, and agreed, by and between the ſaid parties, And His Majeſty out of His aboundant grace and goodneſſe to His Subjects of this Kingdome is graciouſly pleaſed to aſſent, that His ſaid Subjects be eaſed of the increaſe of Rents lately raiſed on them upon the Commiſſion of Defective Titles, in the Earle of *Straffords* Government, this to be by Act of Parliament.

24. *Item* It is further concluded, accorded, and agreed upon, by and between the ſaid parties, And His Majeſty is further graciouſly pleaſed, that by Act to be paſſed in the next Parliament, all the arreares of intereſt of money which did accrew, or grow due by way of debt, mortgage, or otherwiſe, and yet not ſatisfied, ſince the 23. *of October*, 1641. Vntill the perfection of theſe Articles, ſhall be fully forgiven and be releaſed; And that for and during the ſpace of three,

three yeares next ensuing, no more shall be taken for use, or interest of money, then five pounds per Cent. & in all cases of equity arising through disability occasioned by the distempers of those times, the considerations of equitie to be alike unto both parties.

25. *Item* It is concluded, accorded, and agreed, by and betweeen the said parties, And His Majesty is graciously pleased, that the said *Richard* Lord Viscount *Mountgarret*, *Donogh* Lord Visc. *Muskery*, Sir *Daniell ô Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunckett*, *Richard Bellings*, *Phillip mac Hugh ô Rely*, *Tirlogh ô Neale*, *Thomas Fleminge*, *Patricke Darcy*, *Gerrald Fennell*, and *Geffrey Browne*, Esquires, shall be imediatly upon conclusion of these Articles, Authorized by Act of State to proceed in, Heare, Determine, & Execute within the Cities, corporate Townes, Counties and part of Counties, now, or late, within the Quarters of the said Confederate Catholiques, the ensuing particulars, and all matters thereupon depending, And that the said Act of State, and other the authorities hereafter mentioned shall remaine of force without Revocation. Alteration, or Diminution, untill Acts of Parliament be Passed according the purport and intent of these present Articles; onely in case of death of any of the said persons soe to be authorized, the Lord Lievtenant, or other chiefe Governor or Governors of this Kingdom for the time being, shal by the advice & consent of the persons soe to be authorized, then living, or any five or more of them, name others in the place of such who shall be soe dead, and the persons soe to be named to be Authorized as the former, And that the persons to be Authorized as aforesaid, or any five or more of them be permitted without interruption to Applot, Raise and Levie Meanes with indifferencie and equallitie, upon all His Majesties Roman Catholique Subjects of this Kingdome, for the Raising, Clothing, and bringing to Sea Ports, and Mainetaining there, untill they be shipped Ten Thousand men promised by the Confedrate Catholiques of this Kingdome to assist His Majestie, and to levy the arreares of all Excises, and other Publique Taxes already imposed by them, and yet unpaid; and to call all Receivers and other Accomptantes of all former taxes and publique dues, to a Iust, and strict Accompt, either by themselves, or by such

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ſuch as they or any five or more of them ſhall name and appoint, And that the ſaid perſons to be authorized as aforeſaid, or any five or more of them ſhall have power to Applot, Raiſe, and Levie, meanes, with indifferencie and equality, by way of Exciſes, or otherwiſe, in the ſeverall Cities, Corporate Townes, Counties and parts of Counties now within the Quarters of the ſaid Confederate Catholiques, towards the Maintenance of ſuch Army or Armies as ſhall be thought fit, to continue, and be in pay, for the defence of the Kingdome, and towards the maintenance of all the Forts, Caſtles, and Garriſons, within both, or either, of the now Quarters of either partie, other then ſuch of the ſaid Garriſons, Forts, and Caſtles, as from time to time, until there be a ſettlement in Parliament, ſhall be thought fit by His Majeſties chiefe Governor, or Governors, of this Kingdome for the time being, by and with the adviſe and conſent of the ſaid perſons ſoe to be authorized, or any five or more of them, not to be maintained at the Charge of the Publique Provided that His Majeſties Lievtenant, or other chiefe Governors for the time being, be firſt made acquainted with ſuch Taxes, Levies, and Exciſes, as ſhall be made, and the Manner of Levying therof, and that he approve the ſame, And that the perſons to be authorized as aforeſaid, or any five or more of them ſhall be authorized to appoint Receivers, Collectors, and all other Officers, for ſuch monies as ſhall be ſoe aſſeſſed, and for the Arreares of all former Applotments, Taxes, and other Publique Dues, yet unpaid, And that the perſons ſoe to be authorized, or any five or more of them, in caſe of Refractorineſſe, or Delinquencie, may Diſtraine, and Impriſon, and cauſe ſuch Delinquents to be Diſtrained or Impriſoned, and that the Profits of the Eſtates, within the now Quarters of the Confederate Catholiques, of ſuch as ſhall adhere to the Parliament and not ſubmit to the Peace, be accompted as Publique Dues, and be converted to the Maintenance of the Kings Armie, And that the ſaid perſons to be authoriſed as aforeſaid, or any five or more of them, ſhall have power to Applot, Raiſe, and Levie meanes with indifferency, and equalitie, for the buying of Armes and Ammunition, and for Entertaining of Friggotts, in ſuch proportion and manner as ſhall be thought fit by His Majeſties Lievtenant, or other chiefe Governor, or Governors, for the time being, by and with the Advice and

conſent

consent of the said *Richard* Lord viscount *Mountgarret*, *Donnogh* Lord viscount *Muskery*, Sir *Daniell ô Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip mac Hugh ô Rely*, *Terlogh ô Neale*, *Thomas Fleming*, *Patricke Darcy*, *Gerrard Fennel and Geffry Browne* Esquires, or any five or more of them, The said Armes and Ammunition, to be laid up in such Magazens, and under the charge of such persons as shall be agreed, by the said Lord Lievtenant, And the said persons to be authorized as aforesaid, or any five or more of them, and to be issued, and the said Friggotts to be imployed, by the Lord Lievtenant or other cheife Governo^r, or Governors for the time being, for the safety of the Kingdome, by the advice and consent of the said *Richard* Lord viscount *Mountgarrat*, *Donnogh* Lord viscount *Muskery*, Sir *Daniell ô Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Phillip mac Hugh ô Rely*, *Terlogh ô Neale*, *Thomas Fleming*, *Patricke Darcy*, *Gerrald Fennell*, *and Geffry Browne*, or any five or more of them; And that the said persons soe to be authorized as aforesaid, or any five or more of them shall have power, to Applot, Raise, and Levie, Meanes with indifferencie, and equalitie, by way of Excices, or otherwise, in the severall Citties, Corporate Towns, Counties and parts of Counties, now within the Quarters and upon the Estates of the said Confederate Catholiques all such summe and summes as shall appeare unto the said persons, to be authorized as aforesaid, or any five or more of them, to be really due, for, and in discharge of, the publique ingagements of the said Confederate Catholiques iucurred or grownen due before the Conclusion of these Articles, and that the said persons to be authorized as aforesaid, or any five or more of them shall have power to Applott, Raise, and Levie, Meanes with indifferencie and equalitie by way of Excise, or otherwise, in the severall Cities, Corporate Townes, Counties and partes of Counties now within the Quarters of the said Confederate Catholiques as well for the persons to be authorized as aforesaid, and alsoe for such other person and persons as shall be Imployed in Publique Affaires within the severall Citties, Corporate townes, Counties, and parts of Counties within the now Quarters of the said Confederate Catholiques from time to time, untill a settlement by Parliament, And that the said persons to be Authorized

as aforesaid, or any five or more of them, make perfect Bookes of all such monies as shall be Applotted, Raised, and Levied, out of which Books, they are to make several and respective Abstracts, to be delivered under their hands, or the hands of any five or more of them, to the severall and respective Collectors, who shall be appointed to Levie, & Receive the same; and that a duplicate of the said Bookes, under the hands of the said persons to be Authorized as aforesaid, be delivered unto His Majesties Lievtenant, or other Chiefe Governor or Governors for the time being, wherby a perfect accompt might be given.

26. *Item* It is further concluded, accorded, and agreed, by and between the said parties, and His Majesty is gratiously pleased, that for the Preservation of the Peace, & Tranquillity of the Kingdom, That the said Lord Lievtenant; and the said Lord viscount *Mountgarret*, *Donnogh* Lord viscount *Muskery*, Sir *Daniell ô Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Phillip mac Hugh ô Rely*, *Terlogh ó Neale*, *Thomas Fleming*, *Patricke Darcy*, *Gerrald Fennell*, *and Geffry Browne* Esquires, or any five or more of them, shal for the present, agree upon such persons who are to be authorized by Commission under the great Seal, to be Commissioners of the Peace, *Oyer and Terminer*, and Goale delivery, in the severall Counties, and parts of Counties, within the now Quarters of the Confederate Catholikes, with such power as Iustices of the Peace, *Oyer and Terminer*, and Gaole delivery, in former times of Peace, have usuall had; which is not to extend unto any Crime, or Offence, committed before the 15. of *September* 1643. And to be qualified with Power to Heare and Determine all Civill causes coming before them not exceeding ten pounds; Provided that they shall not intermedle with Titles of Lands; Provided likewise the authoritie of such Commissioners shall not extend, to question any person or persons, for any Cattle or Goods, heretofore taken by either partie from the other, contrary to the Articles of cessations, but that the same shall be left to be determined in such way, as by these Articles is already prescribed, which Commissioners are to continue till settlement by Parliament. *Si tam diu se bene gesserint*, And if any who shall be soe intrusted, shall misbehave

have himſelfe in the execution of ſuch truſt, within that time, that then ſuch other perſon or perſons ſhall be appointed in his or their place, as ſhall be agreed on, by His Majeſties Cheife Governor, or Governors for the time being, by the Advice and Conſent of the ſaid perſons ſoe to be intruſted, or any five or more of them, and the ſaid Commiſſioners are to make their Eſtreates as accuſtomed in time of Peace, and ſhall take the enſuing Oath, *viz. You ſhall ſwear that as Iuſtice of the Peace, Oyer and Terminer, and Goale delivery, in the Counties of A. B. C. in all Articles of the Kings Commiſſion to you directed, you ſhall doe equall right to the poore and to the rich, after your Cunning, Wit, and Power, and after the Lawes & Cuſtomes of the Realme, and in purſuance of theſe Articles; and you ſhall not be of Councell of any quarrel hanging before you, And the Iſſues, Fines, and Amerciaments, which ſhall happen to be made, and all Forfeitures which ſhall happen before you, You ſhall cauſe to be entred without any concealement, or imbezeling, and truly ſend to the Kings Exchequer; You ſhall not lett for guift, or other cauſe, but well and truelie you ſhall doe your Office of Iuſtice of the Peace, Oyer and Terminer, and Goale delivery, in that behalfe, and that you take nothing for your Office of Iuſtice of the Peace, Oyer and Terminer, and Goale delivery to be done, but of the King, and Fees accuſtomed; And you ſhall not direct, or cauſe to be directed, any warrant by you to be made to the parties, but you ſhall direct them to the Sheriffes, and Bayliffes, of the ſaid Counties reſpectively, or other the Kings Officers, or Miniſters, or other indifferent perſons to doe Execution thereof, Soe helpe you God.* And that as well in the ſaid Commiſſion, as in all other Commiſſions and authorities, to be iſſued in purſuance of theſe preſent Articles, this Clauſe ſhall be incerted, *viz.* That all Officers, Civill and Marſhall, ſhall be required to be ayding and aſſiſting and obedient unto the ſaid Commiſſioners and other perſons to be authorized as aboveſaid in the execution of their reſpective powers.

27 *Item* It is further concluded, accorded, and agreed, by and between the ſaid parties, And his Majeſty is further gratiouſly pleaſed, That none of the now Roman Catholique party ſhall from henceforth, untill there be a ſettlement by Parliament, Sue, Impleade, or Arreſt, or be ſued, Impleaded, or Arreſted, in any Court, Place, Iu-

dicature, or Tribunall, or before any Iudge, Iuſtice, or Commiſſioner whatſoever, other then before the Commiſſioners aforeſaid, or in the ſeverall Corporations, or other Iudicatures, within the now Quarters of the ſaid confederate Catholiques, as hath, or have Power derived from His Majeſtie.

28. *Item* It is further concluded, accorded, and agreed, by and betweene the ſaid parties, and His Majeſtie is further gratiouſly pleaſed, that His Majeſties Confederate Catholique Subjects doe continue the poſſeſſion, of ſuch of His Majeſties Cities, Garriſons, Townes, Fortes, and Caſtles, which are within their now Quarters untill ſettlement by Parliament, and to be Commanded, Ruled and Governed in cheife, by ſuch as His Majeſtie or his cheife Governor or Governors of this Kingdome for the time being ſhall Appoint, and His Majeſtie his cheife Governor, or Governors of this Kingdome as aforeſaid, is to iſſue Commiſſions, and appoint ſuch perſon, and perſons, as ſhall be named by His Majeſties cheife Governour, or Governors for the time being, by and with the advice and conſent of the ſaid Lord viſcount *Mountgarret*, *Donnogh* Lord viſcount *Muskery*, Sir *Daniell ô Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Phillip mac Hugh ô Rely*, *Terlogh ô Neale*, *Thomas Fleming*, *Patricke Darcy*, *Gerrald Fennell*, *and Geffry Browne* Eſquires, or any five or more of them, for the executing of ſuch Command, Rule, or Government, to continue untill all the particulars in theſe preſent Articles agreed on to paſſe in Parliament, ſhall be accordingly paſſed; only in caſe of death, or Misbehavior, ſuch other perſon or perſons to be appointed for the ſaid Command, Rule, and Government to be named and appointed in the Place, or places, of him, or them, who ſhall ſoe die or Miſbehave themſelves, as the Cheife Governor, or Governors, for the time being, by the advice and conſent of the ſaid Lord viſcount *Mountgarret*, and the reſt of the above mentioned parties to be authorized as aforeſaid, or any five or more of them, ſhall thinke fitt, and to be continued untill ſettlement in Parliament as aforeſaid.

29. *Item* It is further concluded, accorded, and agreed, by and betweene the ſaid parties, and His Majeſtie is further gratiouſly pleaſed,

pleaſed, that all Cuſtomes belonging to His Majeſtie which from the perfection of theſe preſent Articles ſhall fall due within this Kingdome, ſhall be payed into His Majeſties Receipt, and to His uſe, any Requeſt, Clauſe, or Demand, in the Act of Oblivion, or in any other former Propoſitions to the contrary notwithſtanding; Provided that all and every perſon, and perſons, who are at the preſent Intruſted within the now Quarters of the Confederate Catholiques, by them the ſaid Confederat Catholiques in the Entries, Receipts, Collections, or otherwiſe, concerning the ſaid Cuſtomes, doe continue their reſpective Imployments in the ſame, untill full ſettlement in Parliament; other then as to ſuch, and ſo many of them, as to the Cheife Governour, or Governours, for the time being, by the advice and conſent of the ſaid Lord viſcount *Mountgarret*, and the other perſons to be authorized as aforeſaid, or any five or more of them ſhall be thought fit to be altered, and then, and in ſuch caſe, or in caſe of death, or misbehaviour, or other alteration, of any ſuch perſon or perſons, ſuch other perſon, or perſons, to bee imployed as ſhall be thought fit, by the Cheife Governor or Governours for the time being, by and with the advice and Conſent of the ſaid Lord viſcount *Mountgarret*, and the reſt of the perſons to be authorized as aforeſaid, or any five or more of them; And as to His Majeſties Rents to grow due, at Eaſter next, and from thenceforth, the ſame to be payable unto His Majeſtie notwithſtanding any thing contained in the Article of the Act of oblivion, or in any other Article to the contrary, but the ſame not to be Written for, or Levied, untill a full ſettlement in Parliament as aforeſaid.

30. *Item* It is further concluded, accorded, and agreed, by and betweene the ſaid parties, And His Majeſty is further gratiouſly pleaſed, That the Commiſſioners of Oyer and Terminer, and Gaole delivery, to be named as aforeſaid, ſhall have Power to Heare and Determine all Murthers, Manſlaughters, Rapes, Stealths, Burning of Houſes, and Corne in Reeke, or Stacke, Robberies, Burglaris, forceible entries, Detainers of Poſſeſſions, and other Offences committed, or done, and to be committed and done from the 15 day of *September* 1643. untill the firſt day of the next Parliament. Theſe preſent Articles, or any therein contained to the contrary notwithſtanding; Provided that the Authoritie of the ſaid Commiſſioners

shall not extend to question any person, or persons, for doing or Committing any Act whatsoever before the conclusion of this Treaty by vertue or colour of any warrant or direction from those in publique Authority among the Confederate Catholiques; nor unto any Act which shall be done after the perfecting and concluding of these Articles by vertue or pretence of any authoritie, which is now by these Articles agreed on; Provided alsoe the said Commission shall not continue longer then to the first day of the next Parliament. In witnesse whereof his Excellencie the Marquesse of *Ormonde* Lord Lievtenant of *Ireland* His Majesties Commissioner to that part of these Articles remaining with the said *Richard* Lord viscount *Mountgarret*, *Donough* Lord vi count *Muskery*, Sir *Robert Talbot* Barronet, *Dermot O Bryen*, *Patrick Darcy*, *Geffry Browne*, *and Iohn Dillon*, Esquires, And the said *Richard* Lord viscount *Mountgarret*, *Donough* Lord viscount *Muskery*, Sir *Robert Talbot* Baronet, *Dermot O Bryen*, *Patricke Darcy*, *Geffry Browne and Iohn Dillon* Esquires, to that parte of these Articles remaining with the said Lord Lievtenant, have put their hands and seales at *Dublin* this 28. day of *March* 1646. and in the Two and Twentieth yeer of the Raigne of our Soveraign King CHARLES King of Great Brittaine, *France and Ireland*, &c.

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